D. B. SPECIAL APPEAL NO . 59/2007

DATE OF ORDER : 17.07.2007.

HON'BLE MR. P.B.MAJMUDAR,J.
HON'BLE MR. MUNISHWAR NATH BHANDARI,J.

Mr. R.K.Thanvi,for appellant(s).

Heard learned counsel for the appellants. We have gone through the interlocutory order passed by the learned Single Judge in S.B.Civil Regular First Appeal No.89/2006. In our view, the order in question which is an interlocutory order, is not required to be interfered with. Since we have examined the merits of the case, it is not necessary to go into the wider question as to whether this special appeal is maintainable in view of Section 100A C.P.C. as the learned Single Judge has passed the order while exercising the appellate jurisdiction. Suffice it to say that even on merits, we are not inclined to interfere with the order of learned Single Judge in this appeal. Hence, the appeal is dismissed.

(MUNISHWAR NATH BHANDARI)J. **(P.B.MAJMUDAR)J.**

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